



INDUSTRIAL PEACE

ADDRESS DELIVERED BY

Hon. William Lyon Mackenzie King

Former Minister of Labor for the Dominion of Canada
and Author of the Industrial Disputes Investigation
Act of the Dominion.

Banquet, given in his honor by Representative Business
and Labor Men of Cincinnati, at the Sinton
Hotel, Thursday Evening, Sept. 18, 1913

Address of Judge James B. Swing

Toastmaster of the occasion, introducing Mr. King

Together with some appropriate notes regarding
the reception tendered the distinguished visitor

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EDITORS

MATT GLASER and FRANK E. TUNISON
Managers Publicity Bureau

Room 3, Miller Bldg

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CHAMBER OF COMMERCE RECEPTION.

One of the memorable circumstances connected with the visit of Mr. King to Cincinnati was the enthusiastic reception accorded him in the magnificent new home of the Cincinnati Chamber of Commerce in the Union Central Life Insurance Building. Cards of notification had been sent to the membership and a record attendance was the result when Acting President Colter in a telling speech, wherein he dwelt upon the general desire of all citizens for the promotion of the cause of industrial peace, presented the guest of the occasion.

Following the address of Mr. King he was conducted to the open floor of the great Chamber, where leading men in all departments of trade and industry crowded about him for a personal introduction, and were presented by Mr. Jesse R. Clark, the Chairman of the Reception Committee.

The reception concluded, Mr. Clark, as President of the Union Central Life Insurance Company, took Mr. King in personal charge and conducted him over the splendid building. On his return to Canada, Mr. King gave out some of the impressions garnered from his visit, and he was reported as saying, in part: "One of the most delightful events in my personal career was this visit to Cincinnati and the wealth of welcome extended to me, both in connection with my address before the Chamber of Commerce and the subsequent reception and dinner at the Sinton Hotel. But one of the most eventful features, and one which I shall always remember with pleasure, was the opportunity afforded me, under the personal guidance of Mr. Jesse R. Clark, the President of the Union Central Life Insurance Company, and really the founder of the great structure, which is a monument to American enterprise, to inspect that building. In all of its lavish details and superb furnishings I was reminded that in itself it constitutes a most masterful expression of the idea which is spreading over the world—namely, the necessity for the preservation of industrial peace, of which buildings of this character form one of the ultimate expressions, for it stands as a triumphant exponent of the common human desire for protection against the vicissitudes of life, and the thought comes to me irresistibly that it has been the contributions of hundreds—nay, thousands—of people in even less than moderate circumstances — stockholders, if you please — in this great organization headed by Mr. Clark, which made the erection of this temple of protection a concrete fact."

OPENING ADDRESS BY THE TOASTMASTER.

Judge James B. Swing:

Since our accomplished President of the United States has taken to reading his messages to the Congress it may not be altogether bad form to read even in this distinguished presence—if one doesn't read too long; and I have, so as to relieve you, only two pages. (Applause.)

I am very grateful for the honor conferred upon me by the invitation to preside at this important gathering.

The occasion is important because of its serious purpose and because of the eminence and true greatness of the gentleman who is to address us.

The purpose is that we may consider and learn wisdom touching the question: Is there any way in which the people of this country can secure and enjoy industrial peace, freedom from the lockouts and strikes so common in the relations of capital and labor, employers and employees, to each other? The labor and capital controversy in the world is ages old and unfortunately it has not seemed to grow better with age, particularly in the United States.

Such controversy and its fierce conflicts have been costly to both employees and employers and to the public, beyond all calculation, and they seem at times to threaten our institutions of government and civilization itself.

No question can be of greater importance to this country at this time than that which we are met here to consider. I venture to ask of every one of you that you listen to all that shall be said upon this great question with calmness and thoughtfulness, with open minds, without prejudice, and with an earnest desire to know the truth. Usually I think public utterances on this subject are narrow, one sided, warped by selfishness, seldom taking everything into consideration, and seldom of any value.

The words we shall be privileged to hear tonight will be exceptional in all these respects; they will be free from bias—the result of years of experience and profound reflection, and will be broad and liberal and just and wise.

Gentlemen, I am not without hope that there is a way open to the accomplishment of industrial peace. It is not my purpose to enter into any discussion of the matter. But in Canada they seem to have found that way and to be walking in it. They have a law that seems to open the way. I have looked into that law and its operation and results with some care, and have been surprised at the simplicity and wisdom and justice of the law, and surprised to find how universally it is accepted by the people, employers and employees, and all the people, and how effectually it is working

out results for the good of all. It is designed, as any law on the subject must be if it is to be of any value whatever, to promote justice in every controversy to which it applies—justice to all concerned. And I trust I may be allowed to say, truism though it may be, that there never can be industrial peace without justice. There can be no peace anywhere in a free country without justice to all.

You will be gratified to learn tonight how the Canadian legislation of which I have spoken does make for peace—peace between employer and employee, and for the public; peace upon the principle of justice to all.

That remarkable legislation is chiefly, wholly, perhaps, the result of the thought and labors and spirit of one great man; I may truly say, of a great Canadian statesman, the Honorable W. L. MacKenzie King, former Minister (applause) of Labor for the Dominion of Canada, when that great and brilliant man whom all Americans delight to honor—Sir Wilfrid Laurier (applause) was Prime Minister. Mr. King—I thought I could not let the occasion go by to express in your hearing my profound respect for Sir Wilfrid Laurier. (Applause.)

Mr. King highly honors us with his presence tonight. He has had a very remarkable public career; a career of the most distinguished usefulness and honor. High honors have been fairly showered upon him.

I read a broad, long column in a magazine the other day just barely mentioning the honors that had come to Mr. King, and I never saw anything like it. (Laughter.)

His fame and his influence for good have spread far and wide, not only in his own great country, but in ours, and beyond the seas. Mr. King is able to plead guilty, as Mr. Pitt once did in the House of Commons, to the crime of being a young man; anyhow rather young to have accomplished so much. Seldom has any public man crowded into the space of a few years so many works of great usefulness to his country and his countrymen, and his fellow men of other countries—the rich and poor alike—the whole people, as has our honorable guest.

He has with unselfish spirit devoted his great ability and talents to the promotion of the welfare of his fellowmen, and his labors have been rewarded with extraordinary success; and a life of increasing usefulness and honor, to be crowned with the very highest honors that a grateful people can bestow, lies fair before him.

Gentlemen, I have the great pleasure and the honor to introduce to you the Honorable W. L. MacKenzie King.

HON. W. L. MACKENZIE KING'S ADDRESS.

Mr. King: (Applause.)

Judge Swing and Gentlemen:—I am sure you will realize how sincerely I speak when I say it would be quite impossible for me to express my appreciation of the more than kind and thoughtful words of the distinguished Chairman of the evening. No one could have spoken more generously of his most intimate friend, and if I must ask you to forgive him for making you believe that the one who is to speak tonight has in any way merited a tithe of what has been said of him, I nevertheless appreciate very deeply the generous spirit which has prompted the words you have heard.

My first remarks must be words of thanks and congratulation. Thanks for the introduction and thanks to the Association for the honor conferred in inviting me to be present this evening, and giving me an opportunity of meeting so many distinguished citizens of this great State. I would like to express this appreciation not only on my own behalf, but on behalf of the country to which I belong, for while I value the personal compliment, I take it that the invitation has been extended as an expression of neighborly feeling, and of appreciation of the country to the north in regard to one experiment in legislation of which I am to speak tonight.

I would like to congratulate Cincinnati upon having started this "No Strike" movement; certainly there can be no work finer, no more useful public service than that which will help to bring about industrial peace. So long as there is fear of industrial or international strife, there can not be the progress which might otherwise be enjoyed. Think about it! All true advance and growth in freedom has consisted in the elimination of fear. It was the fear of their gods which kept the heathen in bondage; it was fear of barbaric invasion which prevented the growth of nations. Still later, it was fear of imprisonment that prevented the freedom of the press and free expression of public opinion. It was fear of the Inquisition that prevented the growth of freedom in religion. These fears have been largely removed, but we have still the fear of industrial strife and of international strife.

Much has already been achieved toward the maintenance of industrial peace, and with industrial peace will come international peace because the development of an idea in one field will help its spread in others. Both are part of a general movement which has for its ultimate goal the bringing about of good will and peace among men. So, gentlemen, if this State of Ohio, this Central State, which has been the pioneer in so many movements, and which has given to this country so many men of distinction, is successful in accomplishing its aim in this one particular, it will confer a lasting benefit, not on labor and capital alone, but on all classes

in the community, and the fruit of its labors will not end with the confines of the State. (Applause.)

Now let me say, frankly, that I did not accept this invitation with any hope of pointing a way to the citizens of Cincinnati, to the solution of this or any other great problem. I know only too well how varied and different are conditions in different countries and even in different parts of the same country, and I know, too, the far-reaching and serious character of this momentous question. I know only too well how many-sided the industrial question is, and that legislation which might work well in one country, or on one part of this continent, might not work as well in another. I know also, only too well, that the men who have done most for the industrial development of this continent and the solution of its industrial problems, have been men on this side of the international boundary and not on the side to the north.

I believe, however, there is enough similarity between the peoples north and south of the frontier, and the problems confronting each, to make the experience of one country of value to the other, and it is because the experience of one country may be helpful to another that, when the committee invited me to come here this evening and speak on the workings of one bit of Canadian legislation, it gave me a very special pleasure to accept the invitation, in the hope that what Canada has gained in the furtherance of industrial peace may be helpful by way of suggestion to you; and it is in this spirit I have pleasure in addressing you this evening.

I am pleased to see present a number of gentlemen who are representatives in the Legislative Assembly of this State, and it seems to me that I can best further the object we all have in view if, instead of attempting a formal address, I were to speak in a more intimate and personal way, and thereby give, if I can, an insight into the circumstances which led to the introduction of our legislation, and the spirit in which it was enacted. If I adopt this method, I hope you will pardon what may be necessarily personal by way of reference.

For a number of years Canada had no legislation concerned with the prevention and settlement of industrial disputes. The first attempt was an Act passed in 1900, which gave to the Dominion authorities the right of intervention in the way of friendly voluntary conciliation. This Act was copied from a law existing in England, which provided that a conciliator might be sent by the Government to confer with contending parties and seek to bring them together. He could use his powers of persuasion, but had no power to compel a conference, or, in fact, any course of conduct on the part of either of the parties to a dispute. In my work as Deputy Minister of the Department of Labor in Canada, I was sent on a good many of these errands, sometimes to British Columbia, by the Pacific, sometimes to Nova Scotia, by the Atlantic, and to other parts of Canada as well, dealing with disputes in mines, on railways, in factories and other classes of industries.

After a few years' experience in work of that kind, it seemed to me there were certain situations continually presenting them-

selves. One in particular was the difficulty of getting the parties together, once a conflict had taken place. Another was the difficulty of getting at the truth. I found, too, that as strikes ran on, the original troubles were forgotten and that situations became complicated by a lot of new grievances. We had one strike in 1906 which proved memorable. That strike started early in the year and was in the coal mines of Southern Alberta; but summer intervening, no one had paid much attention to it. Then we got on to the month of November, and suddenly the settlers in the Canadian Northwest realized that they were face to face with winter, and that there was very little coal stored for winter use. They discovered then that the mines from which they had been getting their supply of coal had been closed through the whole of that season. Without any provisions in the way of fuel, there was consternation for a moment. Then the different communities made efforts to have the mines opened again.

I was sent out to deal with that situation. As I went through Saskatchewan and Alberta, past the homes of the settlers, I saw the ground already covered with snow, but turning to the south in the province of Alberta, to where the mines were located, it became warmer, and I found the disputants wholly indifferent to the seriousness of the situation created to the north as a result of these disputes. I spent nearly a week trying to get the parties to this dispute together; but the conflict had been on for so long a time, and so much bitterness and hatred had been aroused, that it was next to impossible to compel a consideration of a joint meeting, or of the real questions which occasioned the strike at the outset.

I want to read to you a short letter, and I do this for the reason that it will give you an idea of the whole situation better, in the picturing of one little incident, than it would be possible otherwise to obtain. In this single letter to the Prime Minister of Canada from one of the settlers on the plains, I think we have as graphic and interesting a picture as it would be possible for any artist to portray. It describes the situation as it was throughout many hundreds of square miles of territory at that time. It was written in November, 1906, to Sir Wilfrid Laurier—and here, Mr. Toastmaster, allow me to express my very deep appreciation and personal gratitude for the generous reference made by you to my revered leader, Sir Wilfrid. It will be a great pleasure to me to tell him on my return that I find his name received in this country with as much enthusiasm today as it has been at any time in his great career. (Applause.)

Local Improvement District of Ramsay,

Saskatchewan, Nov. 14, 1906.

"Dear Sir Wilfrid:—The hamlet of Bladworth is the supplying point for settlers, each settled therein. The country is open, rolling prairie, devoid of trees. The settlers depend for fuel on wood or coal obtained at the nearest railway station—Bladworth. The local dealers secure their wood from the Prince Albert country and their

coal from the Galt mines, Lethbridge. No coal has been obtained from this latter source since April 1st. One car was obtained from Banff in September last, since which no coal has been received here. Ten cars are under orders from Lethbridge and none delivered. One car is ordered from Estevan and promised by the mine operator for December 17th next. Wood has been ordered from the Cowan Company, Prince Albert, and their answer is:

“We have neither slabs, edgings, nor cuttings, and though we have inquired, we are unable to buy any cord wood, as there is none in the city.”

“Settlers have been burning lumber at \$40.00 a thousand, willow bramble, twisted hay and grain. These sources are well nigh exhausted. Dr. J. Fyfe reports from observation that no fuel is in the settlers' hands and that suffering and perhaps death will ensue therefrom. All public schools are closed for want of fuel. The Saskatchewan Hotel, a 30-roomed house, has but one fire.

“A blizzard has been blowing on November 15th, 16th and 17th, with zero weather. I leave you, Sir, to imagine what the condition of your fellow subjects is in the electoral division of Batoche—a name not unknown in history. This condition is not local, but general. We are informed that those persons operating the mines of the people are disputing over their rights, regardless of the right of the people to live. I would respectfully ask that you, Sir, put an end to a dispute that is intolerable, and the maintenance of which endangers the life and happiness (inalienable rights of a free people) of all settlers.

“I ask you, Sir, on behalf of a suffering people that, by the powers vested in you, the right of eminent domain be exercised.

“I can assure you, Sir, without exaggeration that this matter is one of life and death to the settlers here, one requiring immediate action.

Your humble, obedient servant,

“WM. RAMSAY,

“Chairman of Committee.”

Now I think you will agree that in that communication you have a graphic description of a terrible situation as it existed in Alberta. What rendered it even more tragic was the circumstance that the parties who were fighting between themselves seemed wholly indifferent to the effect which their dispute was having upon the hundreds and thousands of people who had recently taken up their homes in that part of Canada.

There is such a thing as private right. Labor has its rights, capital has its rights, but I believe that private rights cease when they become public wrongs. Surely in organized society the Government representing the people, whether it be of a State, or of the country as a whole, ought to step in and take hold of a situation where parties to a dispute are unable to settle their differences, and the life and happiness of individuals is threatened thereby. (Applause.)

That is the point of view from which Parliament proceeded in enacting the Canadian Industrial Disputes Investigation Act. It sought to preserve a maximum of individual liberty, and permit a minimum of State interference, as respects both capital and labor, but it proceeded on the assumption that where the rights of the many were jeopardized by the privileges of a few, the State, representing the people as a whole, was entitled to be heard and to have its authority respected.

I do not want to take up time by telling you how that situation was ultimately settled, but I would like to point out that in the endeavor to settle it I encountered the same old difficulty met with in the settlement of other disputes—the difficulty of getting the parties together, and once having them together, the further difficulty of getting accurate information in regard to the facts in dispute. When I returned to Ottawa the Prime Minister said to me that the Government must enact some legislation which would be helpful in preventing a recurrence of troubles of this kind. I remember remarking to Sir Wilfrid that if we could prepare a law which would compel the parties to come together, and enable the public to ascertain the facts before an open conflict arose, a long step would be taken towards maintaining industrial peace. The Canadian Industrial Disputes Investigation Act was the result of that conversation.

The chairman of the evening has generously said that this Act is the work of one person; let me rather say, by way of telling the exact truth, that this law in many of its sections is based upon legislation in existence in this country, in Great Britain, in Australia and New Zealand, and in other countries. It was drawn to conform as nearly as possible to the requirements of the situation as it then existed in Canada, but only in one or two particulars is it wholly original. One feature that distinguishes it from other measures is the requirement of an investigation before a strike or lockout takes place. There may be, too, some originality in the methods by which this investigation is obtained and carried out.

The Act, in a word, provides that employers and employees shall not strike or lock out till after they have met together before a board on which each is represented, and which has full powers to investigate all the differences between them. If a settlement can not be reached as a result of conference and investigation, the relevant facts are given to the public by the board, and the parties are then free to strike or lock out, as the case may be; but before a strike or lockout can be legally declared, a Board of Investigation must have been appointed, and efforts made to reach in this way a satisfactory settlement of the questions involved.

Either side may make an application to the Government for a Board, and both parties to the dispute name their own representative on it. The two so chosen meet together and select a chairman. They are allowed three days within which to do this, and failing a selection at the expiration of the three days, the Minister of Labor himself appoints a chairman. The three persons so appointed become a Board of Conciliation and Investigation. They have all the

power of a court of record; they may compel the production of documents, subpoena witnesses, take evidence under oath; in other words, they have practically all the powers of the ordinary courts of law. The parties may appear in person, or by representatives, before the Board, which is expected to use its best efforts to effect a settlement of the differences. If unable to satisfactorily terminate the dispute the Board issues a report setting forth what in its opinion is the cause of the troubles, and the merits of the contentions of the respective parties in the case.

When the report is prepared it is sent to the Minister of Labor and by him handed to the press for publication, and once the report is made public the parties to the dispute are free to do as they please. They may accept or reject the finding in whole or in part or they may lock out or strike; **BUT UNTIL THE REPORT HAS BEEN MADE PUBLIC, WORK IS SUPPOSED TO CONTINUE WITHOUT INTERRUPTION.**

And now, you ask, what has been the result of this method of investigation?—for it is compulsory investigation, not compulsory arbitration, that is the essence of the enactment. First of all, let me mention this: the Canadian Act is restricted to mines and industries in the nature of public utilities. It applies only to public service corporations, to mines, to agencies of transportation and communication; to railways, steam and electric; to gas, electric light and power plants; to telegraphs and telephones—to all classes of work carried on by public service corporations. It is not made applicable to all industries, because as a Federal measure its provisions apply to all parts of the Dominion, and there would be difficulty in administration at such long range if all industries were included. The public service corporations employ the largest number of men and are the largest concerns in the country, and, therefore, they are the most difficult to deal with. Cessation of operations on any of these industries are likely to be most serious in their results.

The Act has been in force, not only under the old administration, the Liberal, but also under the new, the Conservative, and in March of next year it will have been seven years on the Statutes. At the time of its enactment it received support from both sides, both in the House of Commons and the Senate; and having had the test of two administrations, I think enough time has elapsed for us to know whether the Act has any merits or not. I shall speak of the first six years only.

During the first six years, there were 145 boards applied for. These boards were in different provinces and in different industries. Out of the 145 boards, strikes were, I think, prevented, or summarily ended, in all excepting eighteen. In other words, if you take the average per year over the six years, there were, over the whole of Canada, but three strikes per annum on all the industries to which the Act applies.

I have here the figures of the disputes dealt with, classified according to the several industries. In connection with coal mining there were 40, with metalliferous mining 11; in connection

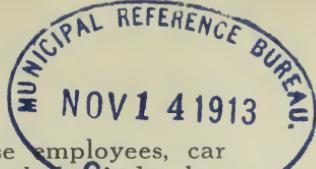
with steam railroads 61, with street railways 13, with shipping 7, 2 of the disputes concerned commercial telegraphers, and 2, telephone operators. There were in addition, 5 disputes in industries not included in the term Public Service Utilities. They were disputes in the boot and shoe industry and came under the Act through one of its clauses to the effect that by the mutual consent of the parties, employers and employees may refer for settlement under its provisions differences between themselves. The employers and employees in the boot and shoe industry of the Province of Quebec have very wisely taken advantage of this provision and where strikes were frequent in boot and shoe factories of that Province before a recognition was gained of the service which the Act might render, further strikes have been avoided by a reference of threatened difficulties to Boards.

Now let me speak more specifically by way of illustration, and since you have recently had in Cincinnati a street car strike, the unfortunate consequence of which to all classes are still remembered, let me illustrate the bearing of the Canadian Act on street railway disputes. Before the Act was passed street railway strikes were common occurrences in the cities of Canada. Hardly a city escaped a strike in the course of every few years and taking the Dominion as a whole, the number of these strikes was not inconsiderable. They were usually among the worst classes of disputes, being accompanied so frequently by disorderly conduct, riots and the calling out of the militia.

In the course of the six years following the enactment of this measure we had but one strike on all the street railway systems in the cities of Canada. There were disputes in Halifax, in St. Johns, in Quebec, in Montreal, in Ottawa, in Toronto, in London, in Winnipeg, in Vancouver and in Victoria, all of which cities have important street railway systems, but in every one of these cities, and many more, the disputes were settled through investigations conducted under the Act, and with one exception only without the loss of a dollar in wages to a single employee, or a dollar in profit to a single shareholder, or an hour's inconvenience to any member of the community. The one exception was a strike which took place in Winnipeg after a Board had been appointed and had investigated the differences between the Company and its employees. It lasted only a few days, and was ultimately settled practically on the basis of the finding made by the Board.

Coming next to the great lines of transportation. If we confine the operation of the Act to the classes of employees to which the Erdman Act in this country applies, namely, the operating crews, the engineers, firemen, trainmen, switchmen, telegraphers and conductors, the record for the first six years of the operation of the Act will be found to be the same as that on the street railway systems of the Dominion. There has been but one strike which to any degree has affected transportation or the inconvenience of the traveling public.

The Canadian Act is wider in its application than the Erdman Act, and embraces all classes of persons in any way connected with



railway companies, as, for example, roundhouse employees, car builders, machinists, freight handlers, teamsters, clerks and other classes. There have been disputes in which all of these classes have been concerned, and while in one or two cases the Act has not completely adjusted all the differences between the employers and the employees, its provisions have prevented these differences from spreading from one class of employees to another, and have been a means of effecting a speedier settlement than would otherwise have been possible.

Take another industry of vital concern to the public, the shipping industry. Before the Canadian Act was passed, as regularly as the spring rains came strikes of longshoremen at some of the ocean ports, at Quebec, at Montreal, at St. John or at Halifax. Since the Act has been passed, the disputes between longshoremen and the shipping companies have not ceased, but strikes for the most part have. Whereas vessels were formerly held up for weeks at a time, there has not been in water transportation in the Dominion, since the Act was passed, any interruption which has inconvenienced either the traveling public or the shippers of freight. All the disputes have been adjusted under the provisions of this Act, either before the season of navigation opened, or while the shipping was actually being carried on.

Telegraphers and telephone operators are other classes I have mentioned. In the years immediately preceding the passage of the Act, we had strikes of both these classes of employees which very seriously inconvenienced the public. Since its enactment there has not been a single strike of either telegraphers or telephone operators in the whole Dominion, although there have been several disputes which but for the existence of the Act would certainly have resulted in such.

If you except, therefore, the one street railway strike of which I have made mention, and the one strike on the railroads of which I have also spoken, it may be said that during the first six years of the operation of this Act, Canada had an almost complete immunity from industrial strife on all her agencies of transportation and communication. When it is remembered that in a highly organized community these agencies correspond to the arteries in the human system, that upon their continuous and unimpeded operation depends in such large measure the performance of all other functions, some possible appreciation may be had of the service which this Act has rendered to the Dominion of Canada. (Loud applause.)

Now let me say just a word in regard to the legislation you have under consideration. I have looked over the proposed new Act pretty carefully, and if imitation is the sincerest flattery, certainly there is reason to be proud of the compliment paid to Canadian legislation. If I might be permitted to do so, I would congratulate Mr. Huseman, counsel of the Association, on the measure as framed by him. I think this measure, if carried by the Legislative Assembly of Ohio, and made applicable to the industries of this State, certainly ought to have great and beneficial results.

If I may comment, allow me to point out, that while very similar, there is a difference between the two measures. The Canadian Act applies simply to industries in the nature of Public Utilities and mines. Your Act as framed applies to any and every industry; therefore the Canadian Act in this respect is narrower than this particular measure. On the other hand, this Act is applicable to the State of Ohio only, while the Canadian Act applies to the whole Dominion, and in that respect your measure is narrower.

The real point to be considered in extent of jurisdiction is that of efficiency in administration. Where the Act is applicable over a wide area, as in Canada, where it applies over the whole Dominion, it is well, perhaps, that the industries to which it applies should be limited in number. Where, as is proposed here, administration is limited to a single State, there is not the same reason for limiting the industries to which its provisions should apply.

There are two or three alternative methods of dealing with industrial disputes that will surely come up for consideration, and to which it may be as well to give a moment's attention.

There is first the alternative of a permanent board, instead of separate individual boards for the several disputes that may arise. It is obvious that a permanent board cannot be in half a dozen different places at one time; and, if you have a permanent board, and have disputes in Cleveland, in Columbus, and in Cincinnati, it would be a difficult thing to deal with all three disputes at one time. This difficulty is overcome in the case of individual boards.

Another advantage is this: The rulings of a permanent board are apt to become fixed and one or other of the parties or the general public is apt, in consequence, to become prejudiced in its attitude towards a Board. I am sure all of you have seen that kind of thing, time and time again. A ruling is made in one case, another case comes up, and a Board which has given a previous decision thinks, for its own reputation if for no other reason, it is necessary to give a similar ruling in the next case, and so on. After two or three decisions, ideas and precedents become pretty well fixed, and prejudice, in consequence, is created at the very outset. In the case of individual Boards, their ideas are not known in advance, not, indeed, until the findings are made.

Then a permanent Board is more likely to be subject to political control or influence, or at any rate to be believed possibly subject to such. Where a board is chosen by the parties to the difficulty themselves, there is not the same possibility.

There is, too, a great advantage in leaving it to the disputants themselves to say who are to represent them on a Board. You give to the workers who are concerned the right to choose their representative, and to the employer the right to choose his representative, and if these two are able to agree upon a third, the Board then is almost wholly of their own choosing. The parties as a consequence are more likely to accept with good grace any decision that may be given.

Another alternative to the method of investigation by individual boards as the means of preventing and settling industrial disputes

is that commonly referred to as compulsory arbitration. In compulsory arbitration the findings of the boards are made binding upon the parties. Doubtless there are some advantages in such a method, and if a court could be found which could be all-wise, and be relied upon to give decisions that could work injustice to none, there would be every advantage in compelling, on pain of penalty, an acquiescence by the parties to an industrial dispute in the findings of such a court. But there is nothing more variable than industrial conditions. We are living today in an age of competition. It is not competition as between industry and industry in one locality alone, nor competition between the industries of one locality and those of another, but competition between the industries of one continent and the industries of another continent. Under these conditions, it is almost impossible to expect any tribunal to be able to do adequate justice to both labor and capital, and the play of economic forces is more likely to determine in the long run what is possible than the momentary decision of any particular court. Where the main business of a tribunal is that of investigation and is known by both parties to be such, the findings of such a tribunal are more likely to be acceptable and accepted, based as they are upon truths, as they have been revealed, and the disclosure of conditions as they are, than are the decrees of a court imposed by law upon the parties, and enforced by penalties imposed by the State.

It is much easier too, to have the parties submit their differences to a tribunal for adjustment, when it is known to them that they are not bound for all time by a decision which to them may appear either inadequate or unjust. Experience under the Canadian Act has shown that once the stage of investigation has been entered upon, the main purpose of the tribunal has been served. The truth once disclosed and all conditions known makes the settlement of a difference in most cases a comparatively easy matter. The threat of compulsion, before conditions or findings are known, tends often to irritate rather than modify a situation.

To show the benefits of investigation, one has but to ask the question: Why do men go on strike? Do men strike for the pleasure of striking? Do they strike in order that their wages may cease and that they may run their families into debt? Or do they strike because they believe this is the only weapon left to them for obtaining what is, in their opinion, justice in an industrial situation. It must be apparent to all that the latter reason alone accounts for action which means so much in the way of privation to those who enter upon it.

Now the Canadian Act and the measure which is proposed here affords to workingmen a new method of obtaining justice, a method which they have not hitherto had. It gives to them the right of a full inquiry into their grievance. It gives them the right of having this inquiry made by a tribunal which is, in part, of their own choosing. It gives them an opportunity to lay the justice of their own case before the public as a whole, and it does all of this at the expense of the State, and without causing them to incur the loss of a single dollar in wages, to say nothing of the possible permanent loss

of position. Finally, it leaves them still the weapon of strike as the last resort, if after inquiry has taken place they still feel that justice has not been obtained. And what is true of the workman seeking justice through a strike is equally true of the employer from his point of view seeking justice through the medium of a lockout or strike. So long as these weapons are left as a last resort, there is surely the strongest reason why any course which may obviate their use and which may better serve to secure the end they are intended to meet should be taken advantage of before they are employed.

Now let me just say this further word in reference to results obtained or to be expected under a measure of this kind. Statistics may tell one story, but they can never tell the whole story. We all know that a very small fire extinguished may mean the avoidance of a great conflagration. What is true of the possible consequences of a single occurrence in the case of loss occasioned by fire is equally true of the possible destructive consequences of industrial strife once commenced in a single industry and limited at the outset to a comparatively small number of persons. In dealing with prevention, statistics are wholly inadequate to convey an impression of the extent of the service rendered, and this must be kept in mind in estimating the true value of a measure of this kind.

Let me cite one or two cases which came under my notice in the course of inquiries into certain disputes in Canada before the Industrial Disputes Investigation Act had become law in the Dominion.

A few years ago a newly formed railway brotherhood began the organization of local unions among the employees of one of the transcontinental railways. The organization of the unions was followed up by a demand for an increase of wages; this demand being refused, a strike was ordered, but the strike proving ineffective the leaders fell back upon the device of crippling the railway in another direction. By collusion with leaders of another organization in this country, they succeeded in stopping work in the mines from which the company was accustomed to obtain coal for its engines, with the result that instead of obtaining its fuel from the mines in British Columbia, the company was obliged to send to Japan for coal. Now the men who struck in the coal mines had no idea that they were in any way involved in a sympathetic strike, but an investigation revealed beyond a shadow of doubt that but for the collusion referred to, the strike in the coal mines would never have taken place. Once they were convinced through the production of telegrams and other communications that they had been deceived in this particular, the strike in the mines was speedily ended by the men who were involved. But the situation of the strikers of the newly formed Brotherhood on the railway was more exasperating still. Investigation revealed the fact that the man who had organized the Brotherhood was at the time of his service in this connection also in the employ of the railway company as a secret service spy, and was reporting to the company the names of the persons becoming members of the lodges which he was helping to form. Once this circumstance became known to the members of the organization they speedily withdrew their membership;

the strike was declared at an end, and the Brotherhood vanished. Now all of these unfortunate occurrences which involved thousands of men, occasioned the loss of hundreds of thousands of dollars in wages, in profits and in business generally, might (nay, rather, certainly would have) been averted had there existed prior to the calling of the strike on the railway or the strikes in the mines, a law such as the present act, which would have compelled and afforded means for a complete investigation into the actual causes of the dispute, and the merits of the contentions of the respective parties.

What has happened in one case is likely to happen again, and this not once, but many times. In the saving, therefore, of one dispute, a State may be saved a loss far outrunning any estimate that might reasonably be assumed, and this a loss not merely to be measured in dollars and cents, but the possible loss of human lives as well.

Let me say just one word in conclusion as to the principles which underlie measures such as the one you have here, and the one enacted in Canada, which seek to prevent industrial waste and industrial loss by investigation and publicity.

The first is that in dealing with conditions which affect human life, men are more important than measures, and that as a consequence it is all-important that in whatever legislation may be enacted scope should be afforded for the widest possible range of choice in the selection of the persons who are to deal with particular situations. Under the Canadian Act, the parties are free to choose as their representatives on Boards any persons from the Atlantic to the Pacific, provided they are not personally interested in the outcome of the issue. They may even go beyond the boundaries of the Dominion in choosing someone who in their opinion will make a competent member of a Board.

We have had acting in this capacity all classes of citizens, college professors, judges, lawyers, clergymen, business men, even novelists. Ralph Connor has acted as Chairman of two or three Boards, and the original of the Sky Pilot in his novel by that name has acted in the same capacity. The Act has helped to disclose men who are specially qualified to render useful service in adjusting industrial differences, and by the confidence established in individuals in this way, their selection in repeated instances to deal with other disputes has gone a long way toward securing a ready acceptance of findings ultimately reached.

In a great State like Ohio there must be any number of citizens in whom everyone has confidence, and who, when clothed with authority such as the Canadian Act affords, would, if given an opportunity to act as mediators and conciliators, be exceptionally well qualified to further the cause of industrial peace.

The next principle, and it is closely akin to the first, is that personality is a more important factor than policy. It is the letter that killeth, but the spirit that maketh whole, and nowhere is this truer than in dealing with problems which affect men in their business and personal relations. To give scope for the play of personality, to permit of this in the powers accorded a Board of Inves-

tigation, is to go a long way towards assuring the success of the object desired.

Thirdly, experience has shown that for the remedying of certain classes of evils, and this is particularly true in the case of industrial wrongs, publicity is a more effective remedy than penalty. It is a fact of human nature, that however mean and contemptible a man may be at heart, or in his intention, he hesitates to so appear in the public regard. Discreditable and unworthy conduct which some men are prepared to regard as smart or shrewd, provided the results only and not the methods become public, would never be attempted were it known that the whole of the transaction might sooner or later be exposed to the light of day. To prevent the mean man profiting in virtue of his meanness, that is what should be aimed at above all else in any endeavor to terminate industrial wrong. Publicity even more than penalty is likely to effect this end.

Lastly, as Edmund Burke has said, it is to be remembered that "justice is the common concern of mankind." It is this which makes public opinion, once intelligently formed, such a powerful factor in preserving right and redressing wrong. Compulsory investigation is the one available means of securing an intelligently organized public opinion. Once the public has gained an intelligent appreciation of a situation by which it itself is affected, it is likely to find if they are necessary devices adequate to its own protection. It is in this compulsory making of every man his brother's keeper that organized public opinion comes to be the most powerful agency yet known, for maintaining and furthering industrial peace. (Prolonged applause.)

CLOSING ADDRESS OF THE TOASTMASTER.

Judge Swing: I was just about to express our thanks to Mr. King, but you have expressed them more forcibly than I could have done.

We have just listened to the clearest, ablest, most forcible, convincing and inspiring address that I have heard in many years.

Mr. King modestly suggested that in the very few remarks I made I had overstated his merits. When I wrote those words I had never seen him; I had simply tried to form some estimate of him from reading; his words have convinced me that what I said was wholly inadequate.

Now we are under obligation to the "No-Strike" Association for having brought Mr. King to this city.

I said a while ago that I was not without hope that there was some way to accomplish industrial peace.

Gentlemen I feel now a great confidence that there is such a way. If the words we have heard here tonight were not to go beyond these walls, I might not be so hopeful; but I can assure Mr.

King, from all I have learned of the arrangement to give publicity to his utterances, that tomorrow half the people of this city, and to a very large extent the people of this State, shall hear of his words, and I feel sure that if his words could be carried just as we have heard them tonight to all the people of this State, industrial peace in the State of Ohio would not be far away.

I trust that the day will come when Mr. King, looking over from Canada to the State of Ohio, shall see us enjoying the blessings of industrial peace; and he will be entitled to feel that he started the movement that brought it about.

Gentlemen, with Mr. King's remarkable address in our minds, and trusting that his words may not be soon out of your minds, I bid you all good-night.



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It is conceded that the visit of Hon. W. L. Mackenzie King to this city in promotion of the cause of industrial peace, under the auspices of the No Strike Association for the promotion of industrial peace, marked an epoch in the more than a century-old life of the Queen City, and every circumstance in connection with that visit becomes of prime importance to perfect the record. This record would be incomplete without a reference to the famous hostelry which housed the banquet where Mr. King made his historic address.

The banquet was an admirable affair, and reflected vast credit upon the personal courtesy and ingenuity of Manager W. J. Fleming, who had it under his personal direction.